

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Higher Education – Allegations of corruption against Sri M.Bhaskar Rao, Principal(Retd.), Government Junior College, Yelamanchili, Visakhapatnam District – Issued orders for recovery of an amount of Rs.4,33,310/- from the Gratuity - Cancelled - Orders Issued.

HIGHER EDUCATION (VC.I) DEPARTMENT

G.O.Rt.No. 230

Dated: 08-05-2014.

Read the following:-

1. G.O.Rt. No.409, Higher Education (VC.1) Dept., Dt.03.06.2010.
2. Orders of Hon'ble APAT in O.A.No.1766/2011, Dt.4.4.2013.
3. C.A. No.1238/2013 in O.A.No.1766/2011 filed by Sri M. Bhaskar Rao, Principal (Retd.), Visakhapatnam Dist.

ORDER:

In the reference first read above, Government have decided to implement the orders of A.P. Administrative Tribunal dt.18/3/2010 in O.A.No.10109/2009 with C.A.No.99/2010, and accordingly, issued orders to recover the loss amount of Rs.4,33,310/ caused to Government from the retirement Gratuity of Sri M. Bhaskar Rao, Principal (Retd.), Government Junior College, Yelamanchili, Visakhapatnam District, under sub rule 7 of Rule 9 of A.P. Revised Pension Rules, 1980, as the above individual has paid an amount of Rs.4,33,310/- irregularly to the Part Time Junior Lecturers of the said college.

2. The A.P. Administrative Tribunal in OA No.1766/2011 dt.4.4.2013 in the reference 2nd read above passed orders that the Govt. is at liberty to withhold the amount from gratuity from the incumbents on account of Govt. dues or local authority dues or loss sustained by the Govt. servants due to negligence and the net amount of retirement gratuity payable to the retired Govt. servant. But the same can be recovered only by following Rule-9 (1) where such an amount can be recovered only after conducting enquiry and passing orders by the disciplinary authority. In the present case, the Govt. has issued G.O. following Sub-rule (7) of Rule-9. In the absence of conducting enquiry and passing orders, the Govt. cannot recover or withhold the amount of the applicant. In view of the above, G.O.Rt No.409, dt.3.6.10 is liable to be set aside and is accordingly aside, with a direction to the respondents to release the gratuity amount of Rs.4,33,035/-.

3. Government after examination of the matter, decided to cancel the orders issued in the reference first read above, and accordingly, hereby cancel the orders issued in G.O.Rt. No.409, Higher Education (VC.1) Dept., Dated 03.06.2010.

4. The Commissioner of Intermediate Education, A.P., Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**RAJESHWAR TIWARI,
PRINCIPAL SECRETARY TO GOVERNMENT.**

To

The Commissioner of Intermediate Education, A.P., Hyderabad.

Copy to:

Sri M. Bhaskar Rao, Principal(Retd.), Government Junior College, Yelamanchili,
Visakhapatnam District **through CIE, AP, Hyderabad.**

The Accountant General, AP, Hyderabad.

The General Administration (V&E) Department.(W.r.t. Vir.Rep.No.24, dt.11.2.2005)

The Secretary, APVC, Hyderabad.

The Govt. Pleader for Education (H) & Law (S), APAT, Hyderabad.

The A.P. Public Service Commission, Hyderabad.

SF/SCs.

// FORWARDED :: BY ORDER //

SECTION OFFICER.